



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

JUN 09 2010

Tyrone Kelley
Forest Supervisor
Six Rivers National Forest
1330 Bayshore Way
Eureka, CA 95501-3834

Subject: Draft Environmental Impact Statement for the Kelsey Peak Timber Sale
and Fuelbreak Project, Trinity County, California (CEQ# 20100139)

Dear Mr. Kelley:

The Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the above project. Our review and comments are pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The proposed action (Alternative 2A) will manage vegetation on approximately 3,582 acres through commercial timber harvest and fuelbreaks in the Mad River Ranger District. Commercial timber harvest would occur on approximately 1,808 acres and fuelbreaks along roads for fire suppression would be created on 2,542 acres. EPA understands that the project is intended to provide a sustainable timber supply for local communities and reduce fire hazard and risk within the wildland-urban interface (WUI) in the vicinity of Ruth, California.

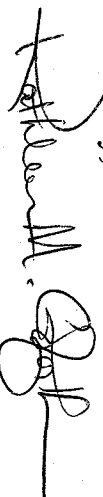
EPA commends the Forest Service for modifying Alternative 2 among the proposed Alternatives in light of new biological information concerning the Northern spotted owl (NSO) habitat. We also commend the Forest Service for its commitment to decommission and repair roads that are the primary sources of sediment to nearby watersheds. Additionally, elimination of all treatments within the inner riparian reserves will be beneficial to maintaining water quality and compliance with established Total Maximum Daily Load (TMDL) requirements. We support the best management practices and resource protection measures included in the project design and have rated the DEIS as Lack of Objections—LO (see enclosed "Summary of Rating Definitions").

EPA recognizes the ecological significance of the Six Rivers National Forest and support the inclusion of the resource protection measures and best management practices described in the DEIS. Project features such as limiting the amount of new road construction will help minimize adverse effects. We are concerned, however, about an

apparent inconsistency between the Kelsey Peak project and the Record of Decision (ROD) for the Lower Trinity and Mad River Travel Management Plan published on April 30, 2010. The Kelsey Peak DEIS states that "all new and existing roads for this project will be decommissioned upon project completion" and Table 1 includes a list of those roads that will be removed (pg. 22). Many of the roads in Table 1 are included as part of the updated National Forest Transportation System (NFTS) as published in the ROD for the Travel Management Plan. We understand that the Kelsey Peak Project DEIS was published prior to the Travel Management Plan ROD. Any changes made to the NFTS through decommissioning of roads should be clarified in the Kelsey Peak Final Environmental Impact Statement (FEIS) and ROD.

We appreciate the opportunity to review this DEIS and are available to discuss our comments. When the FEIS is released for public review, please send one hard copy and one CD to the address above (mail code: CED-2). If you have any questions, please contact Stephanie Skophammer, the lead reviewer for this project, at (415) 972-3098 or skophammer.stephanie@epa.gov, or contact me at (415) 972-3521.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathleen M. Goforth', with a stylized flourish at the end.

Kathleen M. Goforth, Manager
Environmental Review Office

Enclosures: Summary of EPA Rating Definitions

cc: North Coast Unified Air Quality Management District

SUMMARY OF EPA RATING DEFINITIONS

This rating system was developed as a means to summarize EPA's level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the EIS.

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

ADEQUACY OF THE IMPACT STATEMENT

Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."